

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF ARKANSAS  
NORTHERN DIVISION

CHRISTOPHER EVERETT  
ADC #152664

PLAINTIFF

v.

No. 3:20-cv-243-DPM

DEXTER PAYNE, Director, ADC;  
KEITH WADDLE, Disciplinary Hearing  
Officer, ADC; RAYMOND NAYLOR,  
Disciplinary Hearing Administrator, ADC;  
and JACKSON, Warden, ADC

DEFENDANTS

ORDER

On *de novo* review, the Court adopts Magistrate Judge Volpe's recommendation, *Doc. 4*, and overrules Everett's objections, *Doc. 6*. Everett's due process claim is barred by *Edwards v. Balisok*; and his other allegations fail to state a claim. 520 U.S. 641 (1997). Further, nothing in Everett's proposed amendment would cure the defects in his complaint. His motion to amend, *Doc. 5*, is therefore denied.

Everett's complaint will be dismissed without prejudice for failure to state a claim. This dismissal counts as a "strike" for purposes of 28 U.S.C. § 1915(g). An *in forma pauperis* appeal from this Order and accompanying Judgment would not be taken in good faith. 28 U.S.C. § 1915(a)(3).

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

29 September 2020